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James O. McReynolds, *County Administrator*
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May 22, 2007

Federal Communications Commission
Office of the Secretary
445 12th St., SW
Washington, DC 20554

RE: COMMENTS OF 96-86, 06-150, 06-160, 06-229

To Whom It May Concern:

On behalf of the Hampton Roads Interoperable Communications Advisory Committee, I am submitting the attached comments on the above referenced material.

Sincerely,

Arthur L. Collins
Executive Director/Secretary

ALC/kp



In the Matter of)	
)	
Service Rules for the 698-746, 747-762)	WT Docket No. 06-150
and 777-792 MHz Bands)	
)	
Revision of the Commission's Rules to Ensure)	CC Docket No. 94-102
Compatibility with Enhanced 911 Emergency Calling)	
Systems)	
)	
Section 68.4(a) of the Commission's Rules Governing)	WT Docket No. 01-309
Hearing Aid-Compatible Telephones)	
)	
Biennial Regulatory Review – Amendment of Parts 1,)	WT Docket No. 03-264
22, 24, 27, and 90 to Streamline and Harmonize)	
Various Rules Affecting Wireless Radio Services)	
)	
Former Nextel Communications, Inc. Upper)	WT Docket No. 06-169
700 MHz Guard Band Licenses and Revisions)	
to Part 27 of the Commission's Rules)	
)	
Implementing a Nationwide, Broadband,)	PS Docket No. 06-229
Interoperable Public Safety Network in the 700)	
MHz Band)	
)	
Development of Operational, Technical and Spectrum)	WT Docket No. 96-86
Requirements for Meeting Federal, State and Local)	
Public Safety Communications Requirements Through)	
the Year 2010)	
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**FROM THE HAMPTON ROADS
INTEROPERABLE COMMUNICATIONS ADVISORY COMMITTEE**

COMMENTS OF 96-86, 06-150, 06-160, 06-229

On May 2, 2007, the Commission released the instant Notice of Proposed Rule Making (NPRM). The NPRM requested comments on several issues that are of critical importance to public safety in our region. The 16 jurisdictions – Chesapeake, Franklin, Gloucester County, Hampton, Isle of Wight County, James City County, Newport News, Norfolk, Poquoson, Portsmouth, Southampton County, Suffolk, Surry County, Virginia Beach, Williamsburg and York County - that comprise the Hampton Roads Region and operating as the Hampton Roads Interoperable Communications Advisory Committee (HRICAC) in connection with the Hampton Roads Planning District Commission and representing a population in excess of one million six hundred thousand citizens, hereby submit these comments in response to the Commission's *Further Notice of Proposed Rulemaking* in the above-captioned proceedings.

Respectfully, we, the Hampton Roads Region, strongly oppose the Commission's pending decision to reallocate the 700MHz "Public Safety spectrum," which is identified for wideband use to support only broadband operations consistent with a nationwide standard. Hampton Roads opposes any legislative or regulatory action that would change the current planning and use of the spectrum in 764-776/794-806 MHz frequency bands (700 MHz band or TV CH 63, 64, 68 and 69) that was reallocated for public safety use in 1998. Any change and subsequent auction would forever place control of the spectrum in the hands of commercial enterprises that do not have public safety as their principal, overriding objective. Furthermore, we cannot stress how important it is to our Public Safety disciplines to have the flexibility to choose and deploy the best communication solutions based on the jurisdictions' specific needs as they relate to technologies, geographic challenges and increasing financial constraints.

We understand, but do not support, the Commission's rationale to mandate broadband and disallowing local/regional public safety technology decisions for the reason that providing public safety entities flexibility could hinder efforts to deploy a nationwide, interoperable broadband network by perpetrating a balkanization of public safety spectrum licenses, networks and technology deployment. We request that the Commission not impose any legislative or regulatory action that would change the current planning and use of the spectrum in 764-776/794-806 MHz frequency bands (700 MHz band or TV CH 63, 64, 68 and 69) that was reallocated for public safety use in 1998 and to consider other options.

As a best viable option for all parties, Hampton Roads supports reallocating 30 MHz of the 60 MHz of "recovered analog" spectrum from the 700 MHz band that is currently slated for auction to dedicated public safety wide-area broadband communications versus making any changes to the currently allocated upper 700 MHz "Public Safety spectrum." We recommend that this spectrum be given to a created-government entity that would look to form a consensus among the local/regional decision-makers (Regional Planning Committees or RPCs) as it relates to a national broadband network for public safety. In summary, HRICAC supports the idea of maintaining the current 700 MHz public safety spectrum structure while also advocating additional broadband public safety spectrum use to the extent that it does not conflict with current assignments. We also support the submission of comment letters submitted by:

- Commonwealth of Virginia: Submitted October 20, 2006
- APCO submitted: February 26, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Arthur L. Collins". The signature is fluid and cursive, with the first name "Arthur" being more prominent.

Arthur L. Collins
Executive Director/Secretary

May 22, 2007